

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

City of San Diego, a Charter City, The
Redevelopment Agency of the City of San Diego,
a public entity, and Padres, L.P., a limited
partnership,

Complainants,

vs.

San Diego Gas & Electric Company, a California
Public Utility,

Defendant.

Case 04-03-025
(Filed March 10, 2004)

**ADMINISTRATIVE LAW JUDGE'S RULING SETTING PREHEARING
CONFERENCE (PHC) AND CALLING FOR PHC STATEMENTS**

On March 10, 2004, The City of San Diego, the Redevelopment Agency of the City of San Diego, and the Padres, L.P. (complainants) filed this complaint against San Diego Gas & Electric Company (SDG&E) alleging that the cost of certain installation work to the Ballpark Project should be borne by SDG&E, and requesting the Commission (1) find that Tariff Rule 15 does not apply to this case, and (2) clarify Tariff Rule 15 for the future by finding that in redevelopment projects where the area was previously supplied by utility services, the cost of removal and relocation of facilities should be borne by the utility as provided by Franchise Agreements and current case law, and should not be governed by Tariff Rule 15. SDG&E has not yet responded to the complaint.

This ruling sets a PHC and calls for PHC statements to be filed prior thereto.

PHC

This ruling sets a PHC for Friday, May 14, 2004, commencing at 11:00 a.m., in the Commission's Courtroom, San Diego State Building, 1350 Front Street, Room B102, San Diego, California. A PHC is called to determine the parties, positions of the parties, issues, and other procedural matters.

PHC Statements

Parties shall file PHC statements no later than Wednesday, May 5, 2004. The PHC statements should address (a) the need for hearing (i.e. state whether hearings are necessary and if so, list the material issues of disputed fact which require an evidentiary hearing. Can the parties stipulate to some or all of these facts?); (b) the issues to be considered; (c) the proposed schedule for the proceeding in order for the Commission to resolve this proceeding within 12 months of its initiation (see Pub. Util. Code § 1701.2(d)); other procedural issues necessary for a prompt resolution of this proceeding.

Other Procedural Matters

Parties are advised that they should not wait for the PHC to commence discovery. If parties are unable to resolve discovery disputes, they may tender their discovery disputes to the Commission pursuant to the procedure set forth in Resolution ALJ-164.

IT IS RULED that:

1. The Commission has set a prehearing conference (PHC) in the above-captioned matter for Friday, May 14, 2004, commencing at 11:00 a.m., in the Commission's Courtroom, San Diego State Building, 1350 Front Street, Room B102, San Diego, California.

2. Parties shall file PHC statements no later than Wednesday, May 5, 2004, on the issues set forth in this ruling. A temporary service list is attached to this ruling. The parties should also serve the counsel for San Diego Gas & Electric Company who file a response to the complaint (this has not yet been filed.) Please also serve the undersigned with the PHC statements by same day email service at jjj@cpuc.ca.gov.

3. Parties should not wait for the PHC to commence discovery. If parties are unable to resolve discovery disputes, they may tender their discovery disputes to the Commission pursuant to the procedure set forth in Resolution ALJ-164.

Dated April 12, 2004, at San Francisco, California.

/s/ JANET E. ECONOME

Janet A. Econome
Administrative Law Judge

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***** INFORMATION ONLY *****

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CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached ^Administrative Law Judge's Ruling Setting Prehearing Conference (PHC) and Calling for PHC Statements on all parties of record in this proceeding or their attorneys of record.

Dated April 12, 2004, at San Francisco, California.

/s/ JANET V. ALVIAR

Janet V. Alviar

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074 or TDD# (415) 703-2032 five working days in advance of the event.